

Express Mail Label No.: EV392127224US

Date of Deposit: September 24, 2004

Attorney Docket No. 24492-013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Cruz

SERIAL NUMBER : 10/728,082

EXAMINER : Not Yet Assigned

FILING DATE : December 3, 2003

ART UNIT : 1651

FOR : Gastrin Compositions and Formulations and Methods of Use and Preparation

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 24, 2004  
Boston, Massachusetts

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Copy of Notice of Incomplete Reply (Nonprovisional) (2 pages);
2. Response to Notice of Incomplete Reply (1 page);
3. Petition for Extension of Time (1 page);
4. Check in the amount of \$470 (additional claims fees)
5. Check in the amount of \$1,060 (additional extension fees); and
6. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 24492-013. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Sonia K. Guterman, Reg. No.: 44,729  
Attorney for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY AND POPEO, P.C.  
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RESPONSE TO NOTICE OF INCOMPLETE REPLY

This is a response to the Notice of Incomplete Reply mailed August 16, 2004, based on the Notice to File Missing Parts mailed on February 25, 2004. A response is now due September 25, 2004.

On July 19, 2004, in Applicants submitted a declaration and power of attorney, a sequence listing paper copy, computer readable form of sequence listing and a statement in support of computer readable form submission. Applicants also submitted a check to cover the three-month extension, and the surcharge for filing a late Declaration.

Accordingly, Applicants now submit as a large entity a check in the amount of \$470 as indicated in the Notice of Incomplete Reply for additional claims for this application, and a check in the amount of \$1,060 to additional months extension fees over those previously paid.

Although Applicants believe no additional fees are due with this filing, the Commissioner is hereby authorized to charge payment of any fees or credit any overpayments to Deposit Account No. 50-0311, Ref. No. 24492-013.

Respectfully submitted,

Sonia K. Guterman, Reg. No.: 44,729

Attorney for Applicants

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UNITED STATES PATENT AND TRADEMARK OFFICE

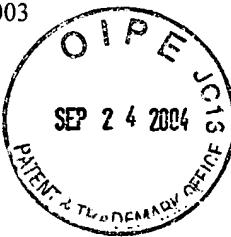
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/719,450	11/21/2003	Antonio Cruz	24492-013

30623  
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY  
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ONE FINANCIAL CENTER  
BOSTON, MA 02111



CONFIRMATION NO. 4446  
FORMALITIES LETTER



\*OC000000013536502\*

Date Mailed: 08/16/2004

**NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)**

***Filing Date Granted***

The U.S. Patent and Trademark Office has received your reply on 07/19/2004 to the Notice to File Missing Parts (Notice) mailed 02/25/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$470** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$470** for a Large Entity

- Total additional claim fee(s) for this application is **\$470**

- \$180** for **62** total claims over 20.
- \$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450

09/27/2004 BSA/AS11 00000057 10719450  
02 FC:1202  
03 FC:1203

Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*Ahmed*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE